

FINDINGS OF FACT AND RECOMMENDATIONS RELATIVE TO DISPUTE BETWEEN THE MONROE COUNTY COMMUNITY COLLEGE (HEREINAFTER CALLED THE DISTRICT, OR D) AND THE MONROE COUNTY COMMUNITY COLLEGE FACULTY ASSOCIATION (HEREINAFTER CALLED FACULTY, OR F)

FF  
Carl Levin

A lengthy hearing was held on September 18. Numerous exhibits and extensive arguments were presented. The presentations were very helpful to the fact finder.

A principal issue in this dispute is the amount that faculty salaries should be increased.

The facts are as follows:

In 1974-75, the average faculty salary was \$14,533 (D Ex 5). The average salary of the faculty at seven community colleges (which, according to the District's testimony, were treated as a group by the State Legislature's appropriation committees) was \$14,509 (D Ex 4). In 1974-75, the average community college faculty salary state-wide was \$16,472 (D Ex 5) (D Ex 9 says \$16,008).

The faculty contest the validity of comparisons of average salary, arguing that a better test is comparisons of the minimum and maximum salaries of each level of professional achievement, that is, for faculty with master's degrees (M.A.), faculty with master's degrees plus 30 credit hours towards a Ph.D. degree (M.A. plus 30), faculty with 60 credit hours towards a Ph.D. degree (M.A. plus 60), and faculty with Ph.D.'s (Ph.D.).

Faculty exhibits 9 and 10 provide some data relative to such minimums and maximums. Exhibit 9 discloses that, among the so-called Southeastern Michigan community colleges, Monroe County Community College had the third lowest minimum salary for faculty with master degrees in 1974-75 (of the seven community colleges for which data was available) and had the lowest maximum by a substantial margin for such faculty.

The highest district offer to the faculty for 1975-76 (\$15,525 maximum for M.A.'s) (D Ex 1) and the lowest faculty demand (maximum of \$16,510 for M.A.'s on counterproposal 4a) (F Ex 11) were both substantially below the maximum M.A. salary for 1974-75 at all of the Southeastern Michigan community colleges on Faculty Exhibit no. 9.

Utilizing the district's grouping of seven colleges referred to in Exhibit 4, the maximum M.A. salaries for 1974-75 are as follows (salaries are taken from F Ex 10):

St. Clair Community College	\$16,185
Alpena Community College	17,279
Northwestern Community College	No data
<u>Monroe County Community College</u>	14,750
North Central Community College	18,075
Lake Michigan Community College	18,116*
Southwest Michigan Community College	16,202

The figure followed by an asterisk (\*) seems unreliable because of obvious conflict between it and the maximum salaries for Ph.D. faculty at Lake Michigan which, according to District's Exhibit 9, was \$17,975.

District Exhibit 9 shows the following minimum and maximum salaries and average salary for each category in the seven colleges. (NP means data not provided.)

		<u>M.A.</u>	<u>M.A.+30</u>	<u>M.A.+60</u>	<u>Ph.D.</u>
St. Clair	Min.-Max.	9,891-16,185	11,690-17,984	12,589-18,883	12,589-18,883
Average		15,251	16,490	17,564	18,673
Alpena	Min.-Max.	10,768-17,620	11,335-18,110	11,649-18,501	10,432-19,333
Average		16,256	17,920	18,501	18,550
Northwestern		NP	NP	NP	NP
<u>Monroe County</u>	Min.-Max.	9,800-14,750	10,300-16,020	10,800-17,400	11,300-17,900
Average		13,513	14,950	15,857	16,250
North Central	Min.-Max.	9,250-18,075	NP	NP	NP
Average		14,177			
Lake Michigan	Min.-Max.	9,450-18,116*	10,430-19,211*	10,830-19,211*	11,430-17,975*
Average		13,345	14,351	14,513	15,706
Southwest Michigan	Min.-Max.	8,400-16,264	8,800-16,761	NP	9,400-17,506
Average		13,489	14,195		13,176

The same exhibit summarizes the maximum and minimum at all 21 community colleges on the exhibit as follows:

21 Community Colleges	Min.-Max.	8,250-22,799	8,800-23,500	9,900-22,233	9,400-24,199
Average		15,748	17,546	17,795	18,400

Thus, Monroe County Community College has the lowest maximum in all categories for all six of the seven colleges listed on the District's Exhibit 4 where data is available, with the sole exception of the Ph.D. maximum at Southwest Michigan Community College where the maximum is about \$470 lower.

Both the District approach of comparing average salary and the Faculty approach of comparing maximum and minimum salaries for each type of degree are valid and relevant. However, the maximum-minimum approach is more significant because that measurement permits a truer comparison of comparable salaries, i.e., M.A. salaries at Monroe to M.A. salaries elsewhere, M.A. plus 30 salaries at Monroe to M.A. plus 30 salaries elsewhere, etc.

\*Seemingly unreliable figures because M.A. maximum earns more than Ph.D.

The faculty urge that actual purchasing power (real income) has substantially declined for the faculty since 1969-70 (F Ex 6). The District argued at the hearing that the faculty did not consider step increases in their computation of real income and that, if one includes step increases, faculty salaries have more than stayed even with inflation.

The purpose of step increases is different from a cost of living allowance. Step increases provide greater rewards to persons with experience on the theory that they are more valuable to the employer. They are operative with or without an increase in the cost of living. If step increases were intended to reflect inflation, then all persons with master's degrees, for instance, would be paid the same salary and the contract would provide for cost of living allowances and productivity increases instead of step increases.

The fact reported by the District that other bargaining units at the college have accepted smaller percent wage increases than offered to the faculty could be relevant if sufficient data were provided to make a comparison in detail over a period of years. Such data was not supplied in sufficient detail by either side to permit a real analysis of the wage increases in other bargaining units at the college.

The faculty proposal 4A would cost the college about \$842,677 in salaries and the 5 percent non-contributory retirement benefit (NCR). The last offer of the college would cost the college \$792,267 for the same items. The difference between the two sides is about \$50,000.

The District provided two budget estimates for 1975. Both estimates (D Ex 8), according to the District's testimony at the hearing, were based on the assumption that the District's highest offer (\$792,267) would be the amount finally agreed upon in the contract between the parties. The so-called "low" budget estimate of the District projects a fund balance (surplus) at the end of 1975-76 of \$50,993, based on revenue of \$3,064,428 and expenditures of \$3,013,435.

The so-called "high" budget estimate of the District projects a fund balance at the end of 1975-76 of \$109,627 based on revenue of \$3,123,062 and expenditures of \$3,013,435.

The faculty's proofs relative to the school's ability to pay increased salaries were offered to show an historical trend towards under-estimation of revenues in the budget for the last five school years (F Ex 17).

Faculty Exhibit 15 sets forth the fund balance at the end of the past five fiscal years as follows:

1970-71	15,937
1971-72	38,063
1972-73	47,260
1973-74	79,585
1974-75	161,939

My recommendations are based upon my finding that Monroe County Community College faculty salaries, particularly in the higher steps, are substantially below comparable salaries for community colleges as a whole and also well below comparable salaries for the group of seven colleges referred to above. These recommendations are also based on Monroe County Community College's financial position and its determination to remain fiscally sound. The College has been fiscally prudent over the years and it has paid off in a thriving institution with a growing student body.

Based on the above facts, I recommend that the District and Faculty agree upon Faculty salaries (including the five percent NCR benefit) totalling \$815,073.

This figure is arrived at by increasing the Step 1 M.A.'s by \$800, Step 2 M.A.'s by \$850, Step 3 M.A.'s by \$900, and each successive step by an additional \$50. The M.A. plus 30 group would be increased by \$850 for Step 1, \$900 for Step 2, etc. The M.A. plus 60 group would be increased by \$900 for Step 1, \$950 for Step 2, etc. The Ph.D.'s would be increased by \$950 for Step 1, \$1,000 for Step 2, etc. The attached Schedule has the entire proposed detail.

Based on my computations which apply the attached schedule (Recommended Increases--Forty-Week-Year Faculty) to the existing faculty, the increase in salary itself is \$63,600 above the 1974-75 actual salaries of \$712,660 for a total of \$776,260. The five percent NCR based on \$776,260 is \$38,813. The three figures--\$712,660 plus \$63,600 plus \$38,813--total \$815,073.

These figures assume, and I recommend, that the 52-week schedule be increased by \$1,600 for the 12th Step M.A., \$1,550 for the 11th Step M.A., etc; \$1,700 for the 12th Step M.A. plus 30, \$1,650 for the 11th Step M.A. plus 30, etc; \$1,800 for the 12th Step M.A. plus 60, \$1,750 for the 11th Step M.A. plus 60, etc; \$1,900 for the 12th Step Ph.D., \$1,850 for the 11th Step Ph.D., etc.

The \$815,073 recommendation is an increase of \$102,413 over the 1974-75 base. This represents a 14.3% increase based on a denominator of \$712,660. However, the just expired contract, if it had been continued as-is for the 1975-76 year, would have required \$14,690 more as a result of step increases built into that contract and this amount probably should not be counted in computing the percentage increase which results from the recommended salary figures for 1975-76. In other words, had the present contract been extended, the Faculty would have earned \$727,350 and, using that figure as a denominator, the increase recommended is 14.08%.

Not counted in that percentage are the \$4,829 and the \$541 agreed upon by the parties for improvements in the medical and dental programs respectively. They are not counted in the percentage figure because the amounts expended in 1974-75 for those programs were not made available to the fact finder and are not included in the base figure of \$712,660 which represents only the actual 1974-75 salaries. However, the \$5,370 represented by those two increases are real dollar increases to the

District and therefore, in order to determine the total dollar increase recommended by me, they should be added to the proposed salary increase of \$63,600 and NCR of \$38,813, making a total increase proposed by the fact finder of \$107,783. That figure is \$22,806 more than the District's last offer and \$27,604 less than the Faculty's last demand.

The fact finder did not accept either the District's approach or the Faculty's approach in making these recommendations, for the following reasons. The District proposed, for two of the four classifications, higher actual dollar increase for the lower steps than for the higher steps, even though the evidence indicates that the maximums earned by Monroe County Faculty are much lower than the maximums earned at other community colleges. The Faculty proposal provided no increases or minute increases for the lower steps. This cannot be justified in terms of the Faculty's own position that minimum and maximum salaries at Monroe College should be compared to minimum and maximum salaries elsewhere rather than utilizing an average approach.

FRINGES - The fact finder recommends neither additional fringe benefit this year (life insurance improvement and vision care) in light of the over 14% increase recommended above and in light of the fact that the fringes paid by the College appear to be already very "competitive" (D Ex 3).

REGISTERED NURSES - The College proposed to pay registered nurses with master's degrees at the M.A. plus 30 rate. I find that such a determination was reasonable based on the shortage of registered nurses and the need to attract them to the new R.N. Program.

ESTABLISHMENT OF OFFICE HOURS - I recommend that approval of faculty office hours should be obtained by the supervisor but that language be inserted in the agreement that "approval may not be unreasonably withheld." This would balance the right of the institution to supervise the scheduling of office hours with the right of the Faculty to challenge that judgment if it is exercised unreasonably.

REGIONAL ACCREDITATION - An arbitrator has recently ruled that the agreement upon contract language requires regional accreditation for the Ph.D. classification. I recommend that the contract specifically provide that such accreditation apply also to the lower three classifications since that appears to be the reasonable implication of the arbitrator's decision and since the Faculty indicates no intention of challenging that opinion or implication.

FLAT RATE OR SLIDING SCALE FOR FACULTY OVERLOAD - The fact finder sees no reason to change from a sliding scale to a flat rate for Faculty "overload". The \$18,000 salaried Faculty member should be paid more for overload than a \$12,000 salaried Faculty member, if the base salary is reflective of Faculty talent, experience, and credentials, which the fact finder and the parties should assume.

ASSOCIATION DAYS - The Faculty requests time off for association representatives to attend functions of the professional organization to which they belong. I recommend that leave time up to fifteen days per year be granted providing a substitute is provided by the Faculty Association to cover the class periods, which substitute must be acceptable to the supervisor and which substitute must be provided at no cost to the College. The majority of community colleges, according to the testimony at the hearing, do provide such release time.

SERVICE FEE - I recommend that the present policy be continued during this contract year. During the next contract negotiations, the parties might seek to agree upon language which would adopt the service fee in such a way and under such safeguards as to permit a Faculty member to appeal in case of discipline for failure to pay such fee. The parties might also consider language which would give the Board a range of options up to and including discharge for failure to pay the service fee.

THE LISTING OF ADELARD RABY ON APPENDIX E OF THE CONTRACT - The parties provided insufficient material to the fact finder to permit him to make a recommendation on the question of whether Mr. Raby's name should appear on the counterpart to Appendix E if such Appendix is carried over to a new contract. If the parties are able to reach agreement on all other matters in dispute, the fact finder is confident that this one issue can be resolved by the parties. If, however, the parties wish recommendations on this matter, they should so advise the fact finder and arrangements will be made to obtain additional material.

A handwritten signature in cursive script, reading "Carl Levin". The signature is written in dark ink and is positioned above a horizontal line.

Carl Levin

RECOMMENDED INCREASES—FORTY-WEEK-YEAR FACULTY

# Faculty - 1975-76

40 Week

1974-75

REC.  
1975-  
1976

Step

M.A.

M.A. + 30

# Faculty - 1975-76

REC.  
1975-  
1976

1.	\$ 9,800.00	+ 800 = 10,600
2.	10,250.00	+ 850 = 11,100
3.	10,700.00	+ 900 = 11,600
4.	11,150.00	+ 950 = 12,100
5.	11,600.00	+ 1000 = 12,600
6.	12,050.00	+ 1050 = 13,100
7.	12,500.00	+ 1100 = 13,600
8.	12,950.00	+ 1150 = 14,100
9.	13,400.00	+ 1200 = 14,600
10.	13,850.00	+ 1250 = 15,100
11.	14,300.00	+ 1300 = 15,600
12.	14,750.00	+ 1350 = 16,100

	\$10,300.00	+ 850 = 11,150
	10,820.00	+ 900 = 11,720
	11,340.00	+ 950 = 12,290
	11,860.00	+ 1000 = 12,860
	12,380.00	+ 1050 = 13,430
	12,900.00	+ 1100 = 14,000
	13,420.00	+ 1150 = 14,570
	13,940.00	+ 1200 = 15,140
	14,460.00	+ 1250 = 15,710
	14,980.00	+ 1300 = 16,280
	15,500.00	+ 1350 = 16,850
	16,020.00	+ 1400 = 17,420

52 WEEK

1974-75

REC.  
1975-76

STEP 12 18,450 + 1600 = 20,050

# of Faculty 1975-76

40 WEEK  
1974-75

REC. 1975-76

# of Faculty 1975-1976

Step	M.A. + 60	REC. 1975-76	2h.D.	
1.	\$10,800.00 + 900 = 11,700		\$11,300.00 + 950 = 12,250	
2.	11,400.00 + 950 = 12,350		11,900.00 + 1000 = 12,900	
3.	12,000.00 + 1000 = 13,000		12,500.00 + 1050 = 13,550	
4.	12,600.00 + 1050 = 13,650		13,100.00 + 1100 = 14,200	
5.	13,200.00 + 1100 = 14,300		13,700.00 + 1150 = 14,850	
6. ①	13,800.00 + 1150 = 14,950		14,300.00 + 1200 = 15,500	
7. ①	14,400.00 + 1200 = 15,600		14,900.00 + 1250 = 16,150	
8.	15,000.00 + 1250 = 16,250		15,500.00 + 1300 = 16,800	
9.	15,600.00 + 1300 = 16,900		② 16,100.00 + 1350 = 17,450	
10.	16,200.00 + 1350 = 17,550		① 16,700.00 + 1400 = 18,100	
11.	16,800.00 + 1400 = 18,200		17,300.00 + 1450 = 18,750	
12. ⑤	17,400.00 + 1450 = 18,850		① 17,900.00 + 1500 = 19,400	